

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:23-cr-73

vs.

DANIEL BROWN,

District Judge Michael J. Newman

Defendant.

ORDER: (1) GRANTING THE PARTIES' ORAL JOINT MOTION TO CONTINUE TRIAL; (2) TOLLING THE SPEEDY TRIAL ACT DEADLINE; (3) EXCLUDING THE TIME PERIOD FROM JANUARY 8, 2024 TO FEBRUARY 22, 2024 FROM THE SPEEDY TRIAL ACT CALCULATION; AND (4) SCHEDULING A TELEPHONE STATUS CONFERENCE FOR FEBRUARY 12, 2024 AT 2:00 P.M.

This criminal case comes before the Court following a telephone status conference held on January 8, 2024. During the conference, the parties and the Court discussed the current status of the case. All parties were amenable to continuing the case for approximately forty-five (45) days. The Court finds that, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), after considering the factors set forth therein, the ends of justice are served by granting the requested continuance and that such continuance outweighs the best interest of the public and Defendant in a speedy trial. Failure to grant the requested continuance would deny both the Government and Defendant the time necessary for effective preparation (such as having witnesses available to testify at trial), and the ability to explore all available means of resolving this case. *See* 18 U.S.C. § 3161(h)(7).

Thus, the Court hereby **GRANTS** the oral joint motion to continue. The Court finds that, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), after considering the factors set forth therein, the ends of justice are served by granting the requested continuance and that such continuance

outweighs the best interest of the public and defendant in a speedy trial. Failure to grant the requested continuance would deny both the Government and Defendant the time necessary for effective preparation (such as having witnesses available to testify at trial), and the ability to explore all available means of resolving this case. *See* 18 U.S.C. § 3161(h)(7). Accordingly, the Speedy Trial Act deadline is tolled. The time period from January 8, 2024 to February 22, 2024 is excluded from the Speedy Trial Act calculation. The Court sets a telephone status conference for **February 12, 2024 at 2:00 p.m.** Counsel shall call: 1-888-278-0296, enter access code 2725365, security code 123456, and wait for the Court to join the conference.

IT IS SO ORDERED.

January 8, 2024

s/Michael J. Newman

Hon. Michael J. Newman
United States District Judge